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PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|-----------------|
| Application Number | 10/827,431 |
| Filing Date | April 20, 2004 |
| First Named Inventor | Koichiro TANAKA |
| Group Art Unit | 2872 |
| Examiner Name | James Phan |
| Attorney Docket Number | 0756-7285 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider any previously filed and unentered Amendments and Information Disclosure Statements, including the amendment(s)/reply and/or Information Disclosure Statement(s) previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other

11/27/2007 HLE333 00000026 10827431

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810.00 OP

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

- b. ☒ Other Submission of Publication Fee _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$1110.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|------------------|-----------------------------------|-------------------|
| Name (Print/Type) | Eric J. Robinson | Registration No. (Attorney/Agent) | 38,285 |
| Signature | | Date | November 26, 2007 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|-------------------|-----------------|------|-------------------|
| Name (Print/Type) | Rose M. Fichtel | Date | November 26, 2007 |
| Signature | | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450.**



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**FEE TRANSMITTAL
FOR FY 2007**

Effective 09/30/2007. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$)**1110.00****Complete if Known**

| | |
|----------------------|-----------------|
| Application Number | 10/827,431 |
| Filing Date | April 20, 2004 |
| First Named Inventor | Koichiro TANAKA |
| Examiner Name | James Phan |
| Group Art Unit | 2872 |
| Attorney Docket No. | 0756-7285 |

METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

50-2280

Deposit
Account
NameRobinson Intellectual Property
Law Office

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17 and
-
- credit overpayments

- ☐
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

- ☒
- Check
- ☐
- Credit Card
- ☐
- Money
-
- Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|--|--------------------------|--------------------------|--------------------------|--------------------|----------|
| 1001 | 310 | 2001 | 155 | Utility filing fee | |
| 1111 | 510 | 2111 | 255 | Search fee | |
| 1311 | 210 | 2311 | 105 | Examination fee | |
| Over 100 Sheets/260 for each additional 50 | | | | | |

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| | -20** = | \$50 | |
| Independent Claims | -3** = | \$210 | |
| Multiple Dependent | | | |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|--------------------------|--------------------------|--------------------------|--------------------------|--|----------|
| 1202 | 50 | 2202 | 25 | Claims in excess of 20 | |
| 1201 | 210 | 2201 | 105 | Independent claims in excess of 3 | |
| 1203 | 370 | 2203 | 185 | Multiple dependent claim, if not paid | |
| 1204 | 210 | 2204 | 105 | ** Reissue independent claims over original patent | |
| 1205 | 50 | 2205 | 25 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|----------|--------------------------|--------------------------|--------------------------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month | |
| 1252 | 460 | 2252 | 230 | Extension for reply within second month | |
| 1253 | 1,050 | 2253 | 525 | Extension for reply within third month | |
| 1254 | 1,640 | 2254 | 820 | Extension for reply within fourth month | |
| 1255 | 2,230 | 2255 | 1,115 | Extension for reply within fifth month | |
| 1401 | 510 | 2401 | 255 | Notice of Appeal | |
| 1402 | 510 | 2402 | 255 | Filing a brief in support of an appeal | |
| 1403 | 1,030 | 2403 | 515 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 510 | 2452 | 255 | Petition to revive - unavoidable | |
| 1453 | 1,540 | 2453 | 770 | Petition to revive - unintentional | |
| 1501 | 1,440 | 2501 | 720 | Utility issue fee (or reissue) | |
| 1502 | 820 | 2502 | 410 | Design issue fee | |
| 1503 | 1,130 | 2503 | 565 | Plant issue fee | |
| 1462 | 400 | 1462 | 400 | Petitions, Group I | |
| 1463 | 200 | 1463 | 200 | Petitions, Group II | |
| 1464 | 130 | 1464 | 130 | Petitions, Group III | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 810 | 2809 | 405 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 810 | 2810 | 405 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 810 | 2801 | 405 | Request for Continued Examination (RCE) | \$810.00 |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) Publication Fee

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) 1110.00**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 26, 2007.

SUBMITTED BY

Name (Print/Type) Eric J. Robinson

Signature

Registration No. 38,285
(Attorney/Agent)**Complete (if applicable)**

Telephone (571) 434-6789

Date November 26, 2007